

CaremarkPCS Health v. Walgreen Co. (2584.88)
Index of Exhibits Filed

Date Filed	Document Filed With	Exhibit	Description
11/30/2007	Plaintiff's Unopposed Motion for Release of TRO Bond	A	Caremark v. Walgreens TRO Bond
11/30/2007	Plaintiff's Unopposed Motion for Release of TRO Bond	B	11/28/2007 Minute Order

EXHIBIT A



SAFECO INSURANCE COMPANY OF AMERICA
HOME OFFICE; SAFECO PLAZA
SEATTLE, WASHINGTON 98185

Bond No. 6499430

CaremarkPCS Health, L.P.

Plaintiff

vs.

Walgreen Co..

Defendant

TEMPORARY RESTRAINING ORDER

Illinois Northern District Court
Case No.: 1:2007cv06272

WHEREAS, by Order of the above entitled Court, Plaintiff CaremarkPCS Health, L.P., was required to file an undertaking in the sum of Twenty Five Thousand and No/100 (\$25,000.00) DOLLARS as a condition for a Temporary Restraining Order to be in effect restraining and enjoining the above named Defendant Walgreen Co., from the commission of certain acts as more fully set forth in said order.

NOW, THEREFORE, Safeco Insurance Company of America, a corporation organized and existing under the laws of the State of Washington and authorized to transact the business of Surety, as Surety, in consideration of the premises and issuance of said Temporary Restraining Order does hereby undertake to pay all costs and disbursements that may be decreed to the Defendant Walgreen Co. and such damages not exceeding the amount of Twenty Five Thousand (\$25,000.00) DOLLARS as the Defendant Walgreen Co. may sustain by reason of said Temporary Restraining Order if the same be wrongfully obtained and without sufficient cause.

IN WITNESS WHEREOF, we have set our hand and seal the 20th day of November, 2007.

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NOV 27 2007

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

Safeco Insurance Company of America

A handwritten signature in cursive script, appearing to read "Patricia A. Hopgood".
Patricia A. Hopgood, Attorney-In-Fact



POWER
OF ATTORNEY

Safeco Insurance Company of America
General Insurance Company of America
Safeco Plaza
Seattle, WA 98185

No. 4271

KNOW ALL BY THESE PRESENTS:

That **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA**, each a Washington corporation, does each hereby appoint

*****MARY BERRY-SPARTOS; PATRICIA A. HOPGOOD; ROGER G. REGNIER; Boston, Massachusetts*****

its true and lawful attorney(s)-in-fact, with full authority to execute on its behalf fidelity and surety bonds or undertakings and other documents of a similar character issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, **SAFECO INSURANCE COMPANY OF AMERICA** and **GENERAL INSURANCE COMPANY OF AMERICA** have each executed and attested these presents

this 21st day of December, 2006

STEPHANIE DALEY-WATSON, SECRETARY

TIM MIKOLAJEWSKI, SENIOR VICE-PRESIDENT, SURETY

CERTIFICATE

Extract from the By-Laws of **SAFECO INSURANCE COMPANY OF AMERICA**
and of **GENERAL INSURANCE COMPANY OF AMERICA**:

"Article V, Section 13. - FIDELITY AND SURETY BONDS ... the President, any Vice President, the Secretary, and any Assistant Vice President appointed for that purpose by the officer in charge of surety operations, shall each have authority to appoint individuals as attorneys-in-fact or under other appropriate titles with authority to execute on behalf of the company fidelity and surety bonds and other documents of similar character issued by the company in the course of its business... On any instrument making or evidencing such appointment, the signatures may be affixed by facsimile. On any instrument conferring such authority or on any bond or undertaking of the company, the seal, or a facsimile thereof, may be impressed or affixed or in any other manner reproduced; provided, however, that the seal shall not be necessary to the validity of any such instrument or undertaking."

Extract from a Resolution of the Board of Directors of **SAFECO INSURANCE COMPANY OF AMERICA**
and of **GENERAL INSURANCE COMPANY OF AMERICA** adopted July 28, 1970.

"On any certificate executed by the Secretary or an assistant secretary of the Company setting out,

- (i) The provisions of Article V, Section 13 of the By-Laws, and
- (ii) A copy of the power-of-attorney appointment, executed pursuant thereto, and
- (iii) Certifying that said power-of-attorney appointment is in full force and effect,

the signature of the certifying officer may be by facsimile, and the seal of the Company may be a facsimile thereof."

I, Stephanie Daley-Watson, Secretary of **SAFECO INSURANCE COMPANY OF AMERICA** and of **GENERAL INSURANCE COMPANY OF AMERICA**, do hereby certify that the foregoing extracts of the By-Laws and of a Resolution of the Board of Directors of these corporations, and of a Power of Attorney issued pursuant thereto, are true and correct, and that both the By-Laws, the Resolution and the Power of Attorney are still in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of said corporation

this

20th

day of

November

2007



STEPHANIE DALEY-WATSON, SECRETARY

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MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

EXHIBIT B

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Mark Filip	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	07 C 6272	DATE	11/28/2007
CASE TITLE	Caremark vs. Walgreen Co.		

DOCKET ENTRY TEXT

Status hearing held. By agreement of the parties, the above-entitled case is dismissed without prejudice in favor of arbitration.

Docketing to mail notices.

00:05

Courtroom Deputy Initials:	TBK
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